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ATTORNEY DOCKET NO. 01107.0003U4  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	)	
	)	
Eppstein	)	Art Unit: 3737
	)	
Application No. 10/772,472	)	Examiner: Smith, Ruth S.
	)	
Filing Date: February 6, 2004	)	Confirmation No. 6710
	)	
For: MICROPORATION OF TISSUE FOR	)	
DELIVERY OF BIOACTIVE AGENTS	)	

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.  
Customer Number 23859

Sir:

Pursuant to the requirements of 37 C.F.R. § 1.56, submitted herewith on the accompanying Information Disclosure Statement List is a listing of documents known to Applicants and/or their attorneys. Some of the documents cited were cited by or submitted to the Patent Office in Application No. 10/284,408, filed October 31, 2002, to which the present application claims priority. These documents are indicated by an asterisk on the Information Disclosure Statement List. Pursuant to 37 C.F.R. § 1.98(d), copies of these documents are not enclosed. A copy of each of the remaining foreign patent or non-patent documents is enclosed.

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**Application No. 10/772,472**

In accordance with the provisions of M.P.E.P. § 2001.06(b) and 37 C.F.R. § 1.98(b)(3), Applicants would like to bring to the attention of the Examiner the existence of the co-pending patent application(s) identified below, which were filed in the United States Patent and Trademark Office:

	<u>Application No.</u>	<u>Date Filed</u>	<u>Inventors</u>	<u>Attorney Docket No.</u>
1.	10/272,292	10/17/02	Eppstein	01107.0003U2

The pending application stated above is stored in the Image File Wrapper (IFW) system of the USPTO. Accordingly, copy of the cited specification, including the claims and drawings thereof, is not enclosed in accordance with the waiver to 37 CFR 1.98(a)(2)(iii) dated September 21, 2004.

This Information Disclosure Statement is believed to be filed in a timely manner pursuant to 37 C.F.R. § 1.97(b)(3), in that a first Office Action on the merits of the present patent application has not yet been mailed to Applicants.

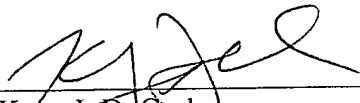
Consideration of the cited documents and making the same of record in the prosecution of the above-referenced application are respectfully requested.

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**Application No. 10/772,472**

No fee is believed due; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

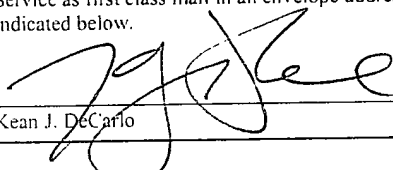
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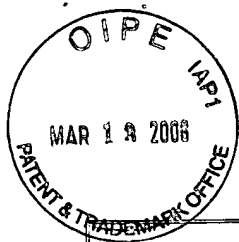
**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

  
Kean J. DeCarlo

Date

3/8/2006



## INFORMATION DISCLOSURE STATEMENT LIST

(Use as many sheets as necessary)

Complete if Known

Application Number	10/772,472
Filing Date	02/06/04
First Named Inventor	Eppstein
Group Art Unit	3737
Examiner Name	Smith, Ruth S.

### U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	Document No.	Date	Name	Class	Subclass	Filing Date (if appropriate)
	A1	6,527,716	03/04/03	Eppstein	600	309	
	A2	6,352,506*	03/05/02	Eppstein et al.	600	309	
	A3	6,183,434*	02/06/01	Eppstein	604	22	
	A4	6,173,202*	01/09/01	Eppstein	604	20	
	A5	6,148,232*	11/14/00	Avrahami	604	20	
	A6	6,142,939*	11/07/00	Eppstein et al.	600	309	
	A7	6,056,738*	05/02/00	Marchitto et al.	606	2	
	A8	6,027,459*	02/22/00	Shain et al.	600	573	
	A9	6,022,316*	02/08/00	Eppstein et al.	600	309	
	A10	5,947,921*	09/07/99	Johnson et al.	604	22	
	A11	5,925,035*	07/20/99	Tankovich.	606	9	
	A12	5,885,211*	03/23/99	Eppstein et al.	600	309	
	A13	5,882,317*	03/16/99	Saito et al.	600	578	
	A14	5,879,326*	03/09/99	Godshall et al.	604	506	
	A15	5,817,089*	10/06/98	Tankovich et al.	606	9	
	A16	5,801,057*	09/01/98	Smart et al.	436	68	
	A17	5,752,949*	05/19/98	Tankovich et al.	606	9	
	A18	5,749,847*	05/12/98	Zewert et al.	604	501	
	A19	5,722,397*	03/03/98	Eppstein	600	345	
	A20	5,713,845*	02/03/98	Tankovich	604	20	
	A21	5,651,768*	07/29/97	Sibalis	604	20	
	A22	5,582,586*	12/10/96	Tachibana et al.	604	20	
	A23	5,580,859	12/03/95	Felger et al.	514	44	
	A24	5,554,153*	09/10/96	Costello et al.	606	9	
	A25	5,548,140*	08/20/96	Nguyen et al.	257	194	
	A26	5,547,467*	08/20/96	Pliquett et al.	604	20	
	A27	5,462,520*	10/31/95	Hoffmann	604	20	
	A28	5,459,127*	10/17/95	Feigner et al.	514	7	
	A29	5,458,140*	10/17/95	Eppstein et al.	600	573	
	A30	5,445,611*	08/29/95	Eppstein et al.	604	501	
	A31	5,427,585*	06/27/95	Bettinger	604	20	
	A32	5,425,728*	06/20/95	Tankovich	606	9	
	A33	5,423,803*	06/13/95	Tankovich et al.	606	9	
	A34	5,421,816*	06/06/95	Lipkovker	604	20	
	A35	5,380,272*	01/10/95	Gross	604	20	
	A36	5,362,307	11/08/94	Guy et al.	604	20	
	A37	5,342,355	08/30/94	Long	606	27	
	A38	5,328,453*	07/12/94	Sibalis	604	20	
	A39	5,323,769*	06/28/94	Bommannan et al.	601	2	

Examiner Signature:

Date Considered:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Application Number	10/772,472
Filing Date	02/06/04
First Named Inventor	Eppstein
Group Art Unit	3737
Examiner Name	Smith, Ruth S.

## U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	Document No.	Date	Name	Class	Subclass	Filing Date (if appropriate)
	A40	5,318,514*	06/07/94	Hofmann.	604	20	
	A41	5,279,544*	01/18/94	Gross et al.	604	20	
	A42	5,273,525*	12/28/93	Hofmann	604	21	
	A43	5,267,985*	12/07/93	Shimada et al.	604	290	
	A44	5,250,023*	10/05/93	Lee et al.	604	20	
	A45	5,246,437*	09/21/93	Abela	606	15	
	A46	5,231,975*	08/03/93	Bommannan et al.	601	2	
	A47	5,226,907*	07/13/93	Tankovich.	606	133	
	A48	5,224,928*	07/06/93	Sibalis et al.	604	20	
	A49	5,223,219*	06/29/93	Subramanian et al.	422	55	
	A50	5,215,520*	06/01/93	Shroot et al.	604	20	
	A51	5,190,558*	03/02/93	Ito	606	131	
	A52	5,171,215*	12/15/92	Flanagan	604	22	
	A53	5,169,389*	12/08/92	Kriesel	604	131	
	A54	5,165,418	11/24/92	Tankovich	600	573	
	A55	5,139,023	08/18/92	Stanley et al.	600	368	
	A56	5,137,817*	08/11/92	Busta et al.	435	207	
	A57	5,115,805*	05/26/92	Bommannan et al.	601	2	
	A58	5,092,864*	03/03/92	Hayes et al.	606	10	
	A59	5,041,109*	08/11/91	Abela	606	15	
	A60	5,019,034*	05/28/91	Weaver et al.	604	20	
	A61	5,016,615*	05/21/91	Driller et al.	601	2	
	A62	5,006,342	04/09/91	Cleary et al.	424	445	
	A63	5,003,987*	04/02/91	Grinwald	600	547	
	A64	4,973,468	11/27/90	Chiand et al.	424	449	
	A65	4,863,970	09/05/89	Patel et al.	514	784	
	A66	4,860,743*	08/29/89	Abela	606	7	
	A67	4,855,298	08/08/89	Yamada et al.	514	267	
	A68	4,844,098*	07/04/89	Mitchen	600	578	
	A69	4,820,720	04/11/89	Sanders et al.	514	356	
	A70	4,775,361*	10/01/88	Jacques et al.	604	20	
	A71	4,767,402*	08/30/88	Kost et al.	604	22	
	A72	4,758,081*	07/19/88	Barnes	606	4	
	A73	4,557,943	12/10/85	Rosler et al.	427	574	
	A74	4,537,776	08/27/85	Cooper	514	424	
	A75	4,522,622*	06/11/88	Peery et al.	604	191	
	A76	4,340,048*	07/20/85	Eckenhoff.	604	890.1	
	A77	3,964,482*	06/22/76	Gerstel et al.	604	890.1	

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				Group Art Unit		3737	
				Examiner Name		Smith, Ruth S.	
<b>U.S. PATENT DOCUMENTS</b>							
Examiner's Initials	Cite No.	Document No.	Date	Name	Class	Subclass	Filing Date (if appropriate)
	A78	3,711,606	01/16/73	Herschler	514	174	
	A79	3,711,602	01/16/73	Herschler	424	45	
	A80	3,551,554	12/29/70	Herschler	424	9.4	
	A81	2005-0165393	07/28/05	Eppstein			
	A82	2003-0092982	05/15/03	Eppstein	600	309	
<b>FOREIGN PATENT DOCUMENTS</b>							
Examiner's Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code	Date	Country	Translation Yes/No		
	A83	WO 00/27473*	05/18/00	WIPO	No		
	A84	WO 00/03758*	01/27/00	WIPO	No		
	A85	WO 99/44678*	09/10/99	WIPO	No		
	A86	WO 99/44638*	09/10/99	WIPO	No		
	A87	WO 99/44637*	09/10/99	WIPO	No		
	A88	WO 99/44508*	09/10/99	WIPO	No		
	A89	WO 99/44507*	09/10/99	WIPO	No		
	A90	WO 99/43350	09/02/99	WIPO	No		
	A91	WO 99/29364*	06/17/99	WIPO	No		
	A92	WO 98/29134*	07/09/98	WIPO	No		
	A93	WO 98/22719*	05/28/98	WIPO	No		
	A94	WO 98/00193*	01/08/98	WIPO	No		
	A95	WO 97/07734*	03/06/97	WIPO	No		
	A96	WO 97/04832*	02/13/97	WIPO	No		
	A97	WO 96/41657*	12/27/96	WIPO	No		
	A98	WO 96/17648*	06/13/96	WIPO	No		
	A99	WO 96/00110*	01/04/96	WIPO	No		
	A100	WO 95/10223*	04/20/95	WIPO	No		
	A101	WO 94/09713*	05/11/94	WIPO	No		
	A102	WO 94/08655*	04/29/94	WIPO	No		
	A103	WO 93/20745*	10/28/93	WIPO	No		
	A104	WO 93/07801*	04/29/93	WIPO	No		
	A105	EP 0 514 258	11/19/92	Europe	No		
	A106	EP 0 506 632	09/30/92	Europe	No		
	A107	EP 0 497 620*	08/05/92	Europe	No		
	A108	WO 92/00106*	01/09/92	WIPO	No		
	A109	GB 2 221 393*	02/07/90	Great Britain	No		
	A110	GB 2 153 233*	08/21/85	Great Britain	No		
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		Examiner Name	Smith, Ruth S.
<b>NON-PATENT DOCUMENTS</b>			
Examiner's Initials	Cite No.	Non-Patent Citations (include Author, Title, Publisher, Relevant Pages, Date and Place of Publication)	
	A111	* "After bite's unique formula key to efficacy" news release (no author), Tender Corporation, Littleton, NH, August 1994	
	A112	* Brusilow et al "Ammonia Secretion in Sweat," <i>Am. J. Physiology</i> , Vol. 214, No. 3 :513-517 (1968)	
	A113	* Gustin et al. "Effects of Atmospheric Ammonia on Pulmonary Hemodynamic and Vascular Permeability in Pigs: Interactions with Endotoxins," <i>Toxicology and Applied Pharmacology</i> 125:17-26 (1994)	
	A114	* Jacques et al. "Controlled Removal of Human Stratum Corneum by Pulsed Laser," <i>J. Invest. Dermatol.</i> 88:88-93 (1987)	
	A115	* Lane et al., "Ultraviolet-laser Ablation of Skin," <i>Arch Dermatol.</i> 121:609-617 (1985).	
	A116	* Matsumoto et al. "Substance P Antagonist Does Not Block the Stimulation of Rapidly Adapting Pulmonary Stretch Receptors by Ammonia", <i>Lung</i> 172:31-45 (1994)	
	A117	* Matsumoto "Effects of ammonia and histamine on lung irritant receptors in the rabbit," <i>Respiratory Physiology</i> 77:301-308 (1989)	
	A118	* McClung et al. "Early Changes in the Permeability of the Blood-Brain Barrier Produced by Toxins Associated with Liver Failure," <i>Pediatric Research</i> 28 No. 3 227-231 (1990)	
	A119	* Pohl et al. "Microjet assisted dye-enhanced diode laser ablation of cartilaginous tissue" <i>SPIE</i> vol. 2134A of <i>Laser-Tissue Interaction</i> (1994) at pp. 1326-1328	
	A120	* Santus et al. "Transdermal enhancer patent literature" <i>J. Control Release</i> 25:1-20 (1993)	
	A121	* Zaki et al. "Potential Toxins of acute liver failure and their effects on blood brain permeability," <i>Experientia</i> 39, Birkhäuser Verlag, CH-4010 Basel/Switzerland:988-991 (1983)	
	A122	* Ziylan et al. "Changes in the permeability of the blood brain barrier in acute hyperammonemia. Effect of dexamethasone" <i>Mol Chem Neuropathol</i> 20:203-218 (1993)	
	A123	Ueda et al. "Skin penetration-enhancing effect of drugs by phonophoresis" <i>J of Controlled Release</i> . Vol. 37:291-297 (1995)	
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